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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,780	10/10/2000	Bernard Bugnet	6-1033-043	5690
803	7590	03/02/2004	EXAMINER	
STURM & FIX LLP 206 SIXTH AVENUE SUITE 1213 DES MOINES, IA 50309-4076			WACHTEL, ALEXIS A	
			ART UNIT	PAPER NUMBER
			1764	

DATE MAILED: 03/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/685,780

Applicant(s)

BUGNET ET AL.

Examiner

Alexis Wachtel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Detailed Action

Claim Objections

1. Per claim 2, the claim language following the phrase "characterized in that it" constitute limitations of intended use and do not structurally limit the claimed apparatus.

Per claim 2, the claim language following the phrase "characterized in that it" constitute limitations of intended use and do not structurally limit the claimed apparatus.

Per claim 8, the claim language following the phrase "evacuation circuits" constitute limitations of intended use and do not structurally limit the claimed apparatus.

Per claim 9, the claim language following the phrase "the rack and/or flanges" constitute limitations of intended use and do not structurally limit the claimed apparatus.

Claims 2,8 and 9 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Per claim 9, the phrase: "the rack" and/or the flanges" lack antecedent basis. Also, it is not clear how claim 9 relates to claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2,6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,683,744 to Jolly et al.

Per claims 1 and 2, the claimed apparatus is clearly taught by Jolly et al.

Jolly et al is directed to a process for producing layers of a porous material covered with an electronically conductive polymer (Col 2, lines 15-17). The apparatus includes a nozzle (Fig.1, item 6), supplied by tank equipped with a stirring system (Fig.1, item 7) that is supplied by tanks (Fig.1, items 9 and 10) that contain a first aqueous solution of monomer and doping agent (tank 9) and a second solution of oxidizing agent (tank 10). Thus the polymerization solution is prepared at the time of use by mixing two solutions from tanks (9) and (10) in order to prevent a pre-polymer or a polymer from forming and being precipitated in solution (Col 4, lines 64-67, Col 5, lines 1-6). Examiner notes that the nozzle can function as a first reactor since the solutions of tank (9) and (10) can polymerize therein if sufficient time is given. The nozzle applies the solutions of tanks (9) and (10) to a layer (1) on a support sheet (3) (Col 4, lines 62-63). Following the application of the polymerization solution, the impregnated solution layer (1) and support sheet (3) are wound together to form a roll (Col 5, lines 7-11).

Following this operation, the resulting composite roll (11) is placed in a cylindrical

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container (Fig.2, item 12). This container has at its base a support (4) with holes (15) for retaining the composite roll (11) and permitting a liquid into the container to flow into a cavity (16) formed below the support (14) and having a draining pipe (17) equipped with a valve (18). In its upper part, the container is tightly sealed by a cover (1) having three ducts (20), (21) and (22), respectively equipped with valves (23), (24) and (25). The duct can be connected to a polymerization supply tank which is not shown in the drawing, duct (21) is connected to the atmosphere and duct (22) can be connected to a pumping system (28) by means of a valve (25). The container also has a piston (27) with holes (28) so as to be able to maintain the composite roll (11) on the support (14) while still permitting the passage of air or a liquid (Col 5, lines 12-25). Examiner notes that the cylindrical container is broadly interpreted as a reactor.

Prior Art of Record

4. The prior art of record and not relied upon is considered pertinent to Applicant's disclosure. In addition, the following references are cited for disclosing various aspects of Applicant's invention:

US 5902402
US 5690741
US 6290832 B1
US 5523119
US 4722295
US 1729057
US 3693587
US 4882232
US 5146958
US 5591482

Allowable Subject Matter

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5. Claims 3-5 are objected to as depending off of a rejected base claim and would be allowable if placed in independent form, overcoming the objections and rejections of the base claims on which they depend. The following is an examiner's statement of reasons for indicating allowable subject matter: No prior art has been found to teach or suggest a reactor equipped with a hollow, perforated and rotatable core onto which the porous structure block or roll to be treated, said core being used to inject the treatment solutions used into the block or roll and/or to aspirate it therefrom and/or to rotate on itself in order to homogenize the diffusion of the fluids within it and/or to expel said fluids centrifugally. The closest prior art, US 5,683,744 to Jolly et al teaches a cylindrical container (Fig.2, item 12) that has a piston (27). The piston is not hollow and cannot inject the treatment solutions used into the block or roll.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Wachtel, whose number is (703)-306-0320. The Examiner can normally be reached Mondays-Fridays from 10:30am to 6:30pm.

If attempts to reach the Examiner by telephone are unsuccessful and the matter is urgent, the Examiner's supervisor, Mr. Glenn Caldarola can be reached at (703) 308-6824. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



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